

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

GEORGE D. AGUILAR, #53445

PETITIONER

VS.

CIVIL ACTION NO. 4:06cv136 TSL-LRA

JACQUELINE BANKS

RESPONDENT

JUDGMENT

This matter having come on to be heard on this date upon the report and recommendation of United States Magistrate Judge entered in this cause on August 2, 2007, and the court, after a full review of the record, having adopted said report and recommendation as the finding of this court by order dated this day, finds that respondent's motion to dismiss should be granted and that this matter should be dismissed with prejudice due to plaintiff's failure to comply with the one-year statute of limitations contained in 28 U.S.C. §2244(d).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above described action be, and the same is hereby, dismissed with prejudice.

SO ORDERED this the 21st day of August, 2007.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE